



# Putting things in writing

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## Introductory notes for instructors

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### Legal life skills outcomes

**Skills:**

- recordkeeping
- notetaking
- organization
- literacy
- prioritizing information

**Personal capabilities and circumstances:**

- assertiveness
- communicating difficult points politely
- prioritizing information when under stress



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario

# Information about putting things in writing

If you have a question for your employer, in addition to asking them in person, you might want to consider writing to them. And if you have a **problem** with your employer or with a co-worker, it can be very important to put things in writing.

## Why put things in writing?

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Putting things in writing will help you to create a record of what happens at work. You might want to do this even if you've already spoken with your employer because:

- It can help avoid any misunderstandings, in case you and your employer have different memories of what was said
- It helps you keep a record of when important things happened at work
- If you have a problem at work, it's important to keep a copy of what you said because:
  - It can be hard to remember exactly what you said
  - If you need legal help or information, seeing things in writing makes it easier for the person helping you to give you information or advice
  - If you get legal information by telephone, you can read it out loud
- If a problem at work becomes more serious and you have to go to a tribunal or court, putting things in writing gives you evidence of what was said

## When should I put things in writing?

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Here are some times when it's important to put things in writing:

- **When your employer tells you something important about work.** For example:
  - Your employer tells you that you will be getting a raise
  - Your employer tells you that they have to cut back your hours
- **When you have a problem with something your employer or a co-worker did.** For example:
  - You think you have dangerous working conditions and want to complain
  - You think that a co-worker is harassing you
- **When you get a letter from your employer in which they ask you to respond, or when you think there will be a bigger problem ahead.** For example:
  - Your employer writes to you and says that another co-worker reported a problem about you

- Your employer writes to you and says that they might have to lay you off because there is less work

If you can, take notes about who said what, and when, shortly after your conversation with your employer.

## How can I keep track of a letter that I give to my employer?

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If you are writing a letter **on paper** to give to your employer, make sure to keep a photocopy of the letter. Or, you can print out two copies – one for yourself, one for your employer. You can find tips about keeping documents and records in Activity Kit #2 **“Keeping documents and records”**.

It’s also a good idea to make a note of the date you gave the letter to your employer. You can do this:

- On a page of your monthly calendar or diary
- In the Calendar app on your mobile phone

## How can I keep track of an email that I send to my employer?

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You can use a folder on your email program to save emails that you send to your employer. Email the letter to both your email address and to the employer, then drag and drop a copy of the email into the folder. Ask your instructor if you have any questions on how to use folders in email.

With some web-based email programs such as Outlook, it is also possible to ask for a “read receipt” or an email telling you that your employer opened the email. This is not a feature on other free email programs such as Gmail, iCloud, or Yahoo. Ask your instructor for information on how to set up “read receipts” if you can.

### TIP

There are rules that your employer has to follow before making changes to your work. However, some employers might not obey those rules – and sometimes if you stand up for your rights, you could lose your job.

If you have questions about anything your employer has asked you to do or told you, you can call the Workers’ Action Centre hotline for free at **(416) 531-0778**. They will give you legal information and practical tips on what to do.



# Information about how to write to your employer – Part 1

## How should I structure a letter to my employer?

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It's always best to keep things simple if you can. Here are the basics of what a letter to your employer should contain:

### If you're asking a question or making a request for time off:

- Try to ask your employer for what you need to know as soon as possible. For example, if you're asking for a day off, do this as soon as you know you need the day off.
- This type of letter does not have to be long. Here's what you need to include:
  - What it is that you are asking for (for example: "I would like to use some of my vacation time. I'd like to take the week of 15 July as vacation time.")
  - What you want the employer to do ("Please let me take this time off and pay me my vacation pay.")
  - The date that you are writing the letter
- In the letter, ask your employer to reply to you in writing.

### If you're making a complaint about a co-worker or about something your employer is doing:

- Give some short information about the problem, with dates if possible
  - **Example:** "On Wednesday, September 14, 2016, you asked me to climb a ladder and fix something on the roof. The ladder was rickety, and I felt unsafe, but didn't feel comfortable telling you this."
- Tell the employer what you want them to do about the problem
  - **Example:** "Because Albert has been swearing at me and is very rude to me, I would like you to change [my or Albert's] work schedule so that I do not have to work the same shift as him."
- Give the employer a timeline within which to reply to you in writing – a good timeline is usually 5 business days or one calendar week
  - **Example:** "Please respond to me by Wednesday, September 21, 2016, and let me know what you intend to do about this problem."
- Try to follow up **in writing** if your employer does not write to you within the deadline.
  - **Example:** "I wrote you a letter on September 14, 2015, but I have not yet had a reply from you. I asked you to let me change my shift at the restaurant. I would appreciate a reply as soon as possible."

# Sayonara's story, Part 1

## A. Some background about the story

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The story you are about to read is about someone who is trying to deal with a problem that she has with a coworker. When she talks to her employer about the problem, he tells her that there is not much he can do to help her.

When you are reading the story, start to think about which facts in the story Sayonara should include when writing a letter to her employer to summarize the problem and the conversation they had about the problem. You will be asked to write a list of points to include in the letter after reading the story.

## B. Read the story

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Two months ago, Sayonara got a job at Wiggle and Waggle, a busy pub in downtown Toronto. She works four evenings a week with two shifts on the weekends. Until recently, she really enjoyed the job – the customers are friendly and they tip well, so she's making good money, especially on the weekends.

However, over the last couple of weeks, she has been having some problems with one of her coworkers, Albert. At first, she got along well with all her coworkers. But Albert became a little too friendly – he was touching her on the shoulder a lot and sometimes giving her hugs. This made her uncomfortable, but at first she just thought he was a “touchy-feely” sort of person, and just being friendly.

But then three weeks ago, Albert started flirting with her, which made her quite uncomfortable. Then a week later, he asked her out on a date. She told him that she couldn't go on a date with him because she has a partner.

Albert seemed to laugh this off. Then, the next day, he started to make comments about her appearance, telling her she was “hot” and “sexy” and saying that her partner was “lucky”. She started to feel more uncomfortable, but was nervous to tell him to stop.

Albert continued to make these types of comments to Sayonara. Then, three days ago, he started brushing up against her when they were both in the kitchen picking up orders. Other coworkers saw this, and spoke to Sayonara about it. When she told them that this was very upsetting, they suggested that she complain to the boss.

On the next shift, Sayonara asked to speak to the boss. She told the boss about Albert's behaviour. The boss said, “There's not much I can do about that – that kind of thing happens

all the time around here. That's just what the restaurant business is like. Why don't you just talk to him and tell him to stop it?"

Sayonara was shocked. She did not feel comfortable talking to Albert about this because she was worried that it would make things worse. When she told him she couldn't date him, he became more pushy! She spoke to her best friend about it. Her best friend said, "Why don't you write to the boss and ask for a different shift?" Sayonara thought this was a good idea and might help her keep what was otherwise a really good job for her.

### **C. Activity: Key points to put in a letter to the boss**

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Make a list of the points you think are important for Sayonara to put into a letter to the boss about Albert's behaviour, and about what she wants the boss to do.

# Information about how to write to your employer – Part 2

## Writing an effective letter when you're under stress

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When people have problems at work, it's understandable that they start to feel stressed out – especially if they think they are not being treated fairly. However, stress, disappointment, and even anger, can come out very easily in our writing.

And, if your employer feels attacked when they get a letter from you, they may believe you're being unreasonable, and may not take the problem seriously.

The following things can help you write an effective letter to your employer:

- **Make a list of the key points you want to tell your employer before writing the letter.** This will help you avoid including unnecessary information that might make your points less clear.
- **Stick to the facts but keep it short.** Use the letter to your employer to explain:
  - What the problem is
  - How the problem is affecting you
  - What it is you want them to do to deal with the problem
- **Try to avoid seeming threatening.** Instead, be assertive and constructive.
- **If you have gotten some legal information about your rights, mention that –** but try not to make it personal about your employer. For example, instead of saying “If you don't deal with this right away, I'm going to get a lawyer and sue you”, say something like “I understand that the law in Ontario says that employers are supposed to help resolve complaints against other coworkers. Please help me do that.”
- **Avoid trying to sound like a lawyer.** Your letter will be more effective if you use your own words.
- **Ask a friend or family member to read the letter before you send it.** Get them to check your letter for tone. Or, at the very least, if you're writing an email, allow yourself a “cooling off period” before you hit “send”.

# Sayonara's story, Part 2

## A. Some background about the story

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This story is the second part of Sayonara's story about her problem with her coworker. When she wrote to her employer about the problem in the first part of the story, her employer did not help her. In this part of the story, things get worse for Sayonara at work.

When you are reading the story, start to think about which facts in **Part 2 of the story** Sayonara should include when writing a letter to her employer. You will be asked to write a letter to Sayonara's employer. You can use the sample form letter at the end of this activity kit to help you with the wording.

## B. Read the story

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After Sayonara emailed her boss about the problem with Albert, she got a response back the same day saying "I'm sorry to hear about this. You've been a really good worker, and we'd hate to lose you. It's no problem – I'll make sure to put you both on different shifts from now on."

The next day, the boss posted the schedule for the following week. Sayonara noticed that, as the boss had promised, she and Albert were working on different shifts. However, all of Sayonara's shifts were early in the weekdays, and two of them were during the day rather than the busier evening and weekend shifts. At first she didn't mind – she'd been lucky to get really busy shifts and make money, and it seemed fair to share the busier shifts with others.

But when the next schedule went up, Sayonara noticed again that she was on the slow shifts, while Albert both weeks had been assigned the busy weekend shifts. This was upsetting to her, as she had made \$400 less in the tips the previous week than in any time since she'd been working there.

She asked to speak to the boss after her shift. She started by asking why she had not been given any weekend shifts recently. The boss told her, "Well, you asked to work a different shift than Albert, and those were the only slots I have available right now, so you'll be working weekdays from now on."

Sayonara was surprised at this. She said that, although she appreciated that the boss had made sure she and Albert weren't on the same shifts as she had asked, it didn't seem fair that Albert was getting all the busier shifts while she was getting the "dead" ones. The boss

replied that Albert had been working there quite a bit longer than Sayonara, so it made sense that he keep the busy shifts since it was her that had asked for the change.

Sayonara didn't know what to say – she felt very angry and was worried that she would start yelling. So, she thanked the boss for giving her time and left the meeting. While travelling home from work, she became more and more upset. It just didn't seem fair that Albert was getting the good shifts despite behaving badly toward her. If anything, **she** should have kept the busy shifts! After all, didn't her boss say to her in the email that they would hate to lose her?! Plus, \$300-400 less a week in tips would make it very hard for her to pay her bills...

Sayonara decided to write another email to the boss to talk about her concerns about the change to her shifts, and ask the boss to start giving her some weekend shifts again.

### **C. Activity: write a letter to the boss about the shift change**

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Write an email to Sayonara's boss using your own words, explaining why you think the change in shifts is still a problem. Remember to try to identify the key points in her story that will help make the letter more effective and persuasive.

To prepare for writing the email, it might help to break this activity into three parts:

1. Make a list of what Sayonara might want to say to her boss.
2. Make a list of the facts (what happened, and when).
3. Write the email, including a summary of the facts and ending with what Sayonara wants.



## Sample form letter to Sayonara's employer – Sayonara's story, Part 2

Use this sample letter to help you write a letter to Sayonara's employer to complain about the fact that he switched her to slower shifts.

September 30, 2017

Dear Bob:

**Re: recent changes to my work shifts**

Thank you for not scheduling me to work on the same shifts with Albert, as I had asked you to do because he was making me feel very uncomfortable.

However, I notice that I have now been assigned all slower daytime shifts, while Albert gets to work on the busier weekends. This has meant that I am making a lot less money in tips than I was when I started.

I am confused by this. It doesn't seem fair to me that I should lose money when it was Albert who caused the problem in the first place. You also recently told me I was doing a good job on the busier shifts.

I'm writing to ask you to start giving me some busier shifts again, starting with the next schedule. I think that it would be fair to split the busy shifts between me and Albert at the very least.

I look forward to hearing from you about this.

Yours truly,

Sayonara

# Teaching notes and answer keys

When discussing the importance of making a record by writing to your employer, you can refer back to Task set #1 in this series “**Keeping documents and records**”.

## Answers

### Small group activity – when have you put things in writing in the past?

**QUESTION FOR LEARNERS:** If there has been a time in your life when you had to write to someone about a problem, share some information about this with your group. Pick one member of your group to make point form notes about the types of situations people talk about, and what ended up happening.

Some examples of people learners might have written to in the past are:

- Their landlord
- Their social assistance worker
- A government office
- A politician
- A former employer

### Small group activity – information about putting things in writing

**QUESTION FOR LEARNERS:** Now that you have read some information about documents and records, please answer a few questions. You can look back at the information if you need to. Pick one member of your group to write down the answers for the whole group.

1. When do you think it’s important to put things in writing? Can you think of any other reasons besides the ones listed above?

Some examples are:

- To keep a record of things that are happening at work
- To keep a record of things that you are asking your employer for, such as vacation time or holiday pay
- To make sure that everyone has the same understanding about what is going on
- To confirm your understanding of a conversation you had with your employer
- To notify your employer about a problem you’re having with a coworker

2. In a past job or in dealing with a difficult situation, have you just tried to deal with the problem verbally? What happened?

## Small group activity – information about putting things in writing

**QUESTION FOR LEARNERS:** Write an email to Sayonara’s boss from her perspective, explaining why you think the change in shifts is a problem. Remember to try to identify the key points in her story that will help make the letter more effective and persuasive.

Some key points in the story are:

- Sayonara is uncomfortable with how her coworker Albert is behaving towards her – he is making sexual comments and gestures to her.
- Sayonara spoke to her employer about Albert’s behaviour.
- Sayonara’s employer told her there was nothing he could do about it, and that she should talk to Albert.
- Sayonara wrote to her employer to summarize her complaint about Albert.
- Her employer replied and said that he would put Sayonara and Albert on different shifts from now on.
- Her employer also told her that she was a good worker and that he would hate to lose her.
- Her employer did change the shifts, but Sayonara ended up being put on slow day shifts and making less money.
- Sayonara spoke again to her employer. Her employer told her that he had changed her to weekday shifts because she said she couldn’t work with Albert.
- Sayonara believes that Albert should be the one switched to the slow shifts.
- Sayonara is making less money as a result of the employer’s decision to change her shifts to weekdays.

### Group activity: Sayonara’s letter to the boss

Use the whole group to discuss the letter writing exercise. The instructor could select two or three students at random to read their letters out loud, then ask the group to critique the letters, saying what they think works and doesn’t work.

The group could also consider the following questions:

1. What did you think were the key points that Sayonara could use to explain to her boss?

(See above answer key **“Activity: write a letter to the boss about the shift change”** for some key points in the story.)

2. How could Sayonara avoid putting her points across in an angry way?

Some examples:

- Don’t send the letter right away after you write it – read it again the next day.
- If sending an email, don’t type then press “send”. Save a draft and reread it later.
- Ask a friend or family member to read it over and check to see if you are using an angry tone.

3. In what other parts of your life might this technique and the tips you learned above come in handy?

Some examples:

- writing to a friend who has disappointed you
- writing to your landlord
- writing to a government agency
- writing to a politician

### **Extension activity – the possibility that the employer will act negatively when getting a complaint**

Not to discourage people from writing to their employer when there is a problem at work, but it's important for them to know that the employer might not always respond in a positive fashion, as in Sayonara's story. Some employers might take reprisals against the employee, which could lead to them losing pay or even being fired wrongfully.

If possible, it's important to get legal information or advice before trying to deal with a problem at the workplace. This is so that a legal professional can give information about the options available, and the possible consequences for the employee if their employer decides to take reprisals.

#### **Legal information for learners:**

CLEO "Your Rights at Work" — <http://www.cleo.on.ca/en/publications/rightswrk>  
To order free copies of "Your rights at work" for your class, you can use the online order form at <http://cleo.on.ca> or call 416-408-4420.

CLEO Steps to Justice website:  
<http://stepstojustice.ca/category/legal-topic/employment-and-work>